

THOMAS CARMICHAEL,)
)
Plaintiff,)
)
v.) Case No. CIV-17-869-D
)
THE OKLAHOMA DEPARTMENT OF)
CORRECTIONS, and JOE M. ALLBAUGH,)
as Director, and the CITY OF OKLAHOMA)
CITY.)
)
Defendants.)

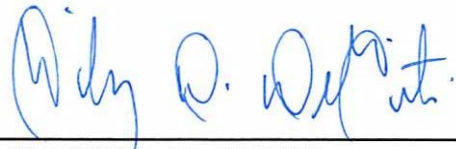
The Court has reviewed Defendants’ Joint Brief in Opposition of Granting Plaintiff Summary Judgment [Doc. No. 39], filed in response to the undersigned’s Order [Doc. No. 34] directing Defendants to show why Plaintiff is not entitled to summary judgment on his claims. Order [Doc. No. 34] at 10–11. In its Order [Doc. No. 40], entered contemporaneously herewith, the Court determined that the residency restrictions of the Oklahoma Sex Offender Registration Act (“OSORA”) were not properly applied to Plaintiff’s home in light of the unambiguous statutory language and, thus, Plaintiff has the legal right to reside in his Edmond home. The Court granted Plaintiff summary judgment accordingly. The Court has further determined that, under the facts and circumstances of this case, permanent injunctive relief is appropriate.

THEREFORE, judgment is entered in favor of Plaintiff and against Defendants, permanently enjoining Defendants and their officers, agents, servants, employees, and attorneys, as well as anyone in active concert with such persons, from enforcing OSORA's

residency restrictions [Okla. Stat. tit. 57, § 590(A)] against Plaintiff to prohibit Plaintiff's residence in his home located at 2813 Shady Tree Lane, in Edmond, Oklahoma.

IT IS FURTHER ORDERED that Plaintiff's claims under the United States Constitution are **DISMISSED** as moot **WITHOUT PREJUDICE** to refiling.

ENTERED this 28th day of August, 2019.



TIMOTHY D. DeGIUSTI
Chief United States District Judge